Single Bench

C.S. 1052

3

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

WRIT PETITION NO. 674 OF 2005

PETITIONER : Santram, S/o Lagnu Sahu, aged about 45 years , resident of Silyari Bhata, District Korba (CG).

663/05 Diary No. 19-02-05 Registered by Shri Pandey

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Secretary Department of Home Affairs, D.K.S. Building Raipur (C.G.)
2. Director General of Police, Chhattisgarh, Police Head Quarter, Raipur, Tahsil and District Raipur (CG).
3. The Collector, Korba (C.G.)
4. The Superintendent of Police, Korba, Tahsil and District Korba (CG).
5. The Station House Officer, Police Chowk Urga, Police Station Kotwali, Korba (CG).
6. Guhari Prasad Sahu S/O Late Shri Sunder Lal Sahu, aged about 65 years, resident of Village Tundari, Tahsil Bilaigarh, District Raipur (CG).

29/01/05

WRIT PETITION U/S 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

38

आदेश पत्रक

मामला क्रमांक W.P.No. 674 सन् 2005 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

3-3-2005

Smt. Renu Kochar, counsel for the petitioner.

Shri Sumesh Bajaj, Deputy Government Advocate for the State/ respondents No.1 to 5.

Heard both the counsel.

In this petition the main grievance of the petitioner is that on his report offence under Sections 279, 337 and 304-A of the I.P.C., Crime No.210/02, was registered at Police Chowky Urga, P.S. Kotwali, District: Korba. On 22-3-2002 while the petitioner along with his son was returning home from Bhesma bazaar on bi-cycle at about 3:30 pm the offending tractor bearing registration No.23/0384 dashed against the bi-cycle upon which the petitioner and his son were riding, as a result of which the petitioner and his son received grievous injuries. However, the petitioner recovered from the injuries after one month treatment and he remained hospitalized whereas his son died while taking treatment in Korba, hospital. Even after the registration of the case, the police has not filed any charge sheet in the case. It has been prayed that the police be directed to arrest the accused driver and departmental enquiry be initiated against respondent No.5.

As mentioned in the petition, the case has already been registered at Crime No.210/02 and if the police is not proceeding with

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(39)

आदेश पत्रक

मामला क्रमांक ..... WP(C) 624/05 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

the investigation, then the petitioner is at liberty to move the concerned Judicial Magistrate as per the provisions of Cr.P.C. and the concerned Magistrate will call for the report from the concerned Police Station about the progress of the investigation in accordance with law.

With the direction aforesaid, the petition stands disposed of.

Consequently, I.A. No.1399/2005 also stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.BHADOO
Judge

Barve

(पीछे देखिये)

18.2.5

29.12.05